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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,280	09/21/2000	Kyoung Ro Yoon	24286/81251	8463
7590	09/11/2006		EXAMINER DUONG, OANH L	
Peter H. Kang SIDLEY AUSTIN BROWN & WOOD LLP 555 California Street, Suite 2000 San Francisco, CA 94104-1715			ART UNIT 2155	PAPER NUMBER

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary****Application No.**

09/666,280

**Applicant(s)**

YOON ET AL.

**Examiner**

Oanh Duong

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 51-91 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 51-91 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. Claims 1-50 have been cancelled.

Claims 51-91 are presented for examination.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/01/2006 has been entered.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 51-91 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al. (hereafter, Herz), US 5,758,257, in view of Kothuri et al. (hereafter, Kothuri), US 6,470,344 B1.

Regarding claim 51, Herz teaches method for processing user preferences related to multimedia content consumption (see abstract), the method comprising:

providing a user description including a user preference description that has a hierarchical structure to describe preferences for filtering and searching (col. 29 lines 31-51 and col. 50 line 65-col. 51 line 55), the hierarchical structure including a first parent preference element and a second parent preference element at the same level of the hierarchical structure, the first parent preference element having one or more first child preference elements (col. 17 lines 45-65), each of the parent and child preference elements including at least one multimedia preference description to identify preferred multimedia content (col. 17 lines 28-65).

Herz does not explicitly teach a first parent preference element in the hierarchical structure includes a first preference condition that specifies a place to which the first parent and first child preference elements apply.

Kothuri teaches method for buffering a hierarchical index of multi-dimensional data for query/search operation (see abstract). Kothuri teaches a first parent preference element in the hierarchical structure includes a first preference condition that specifies a place to which the first parent and first child preference elements apply (col. 13 lines 14-58).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the hierarchical structure of Herz to include a condition that specifies a place to which parent and child preference elements apply as taught by

Kothuri. One would be motivated to do so to allow more efficient use of the data for querying/searching operations (Kothuri, col. 7 line 14).

wherein the parent preference element in the hierarchical structure includes preference condition that specifies a place to which the preference element applies (col. 5 lines 23-52).

Regarding claim 52, Herz teaches the method of claim 51, wherein each of the first parent and first child preference elements includes a respective preference value to characterize relative importance of the corresponding multimedia preference description (Herz, col. 49 line 62-col. 50 line 15).

Regarding claim 53, Herz teaches the method of claim 51, wherein providing the user description includes receiving user input defining at least a portion of the multimedia preference description in one of the first parent and first child preference elements (col. 4 lines 41-46).

Regarding claim 54, Herz teaches the method of claim 51, wherein the user description includes a usage history describing events of consuming multimedia content (col. 29 lines 52-67).

Regarding claim 55, Herz teaches the method of claim 51, wherein filtering multimedia content includes recommending multimedia content (col. 23 lines 1-5).

Regarding claim 56, Herz teaches the method of claim 51, wherein the multimedia preference description in one of the parent and child preference elements specifies a multimedia genre (col. 22 line 47-col. 23 line 1).

Regarding claim 57, Herz teaches the method of claim 51, wherein the multimedia preference description in one of the first parent and first child preference elements specifies an actor or a director (col. 11 lines 45-58).

Regarding claim 58, Herz teaches the method of claim 51, wherein one of the first child preference elements of the first parent preference element includes a further preference condition (col. 5 lines 23-28).

Regarding claim 59, Herz teaches the method of claim 51, further comprising: updating the user description (col. 42 lines 12-24).

Regarding claim 60, Herz teaches the method of claim 51, further comprising: storing the user description (col. 45 lines 34-55).

Regarding claim 61, Herz teaches the method of claim 51, wherein the user description includes a user identifier specifying a name for at least one user, and the

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first and second parent preference elements apply for the same at least one user (col. 17 lines 45-65 and col. 26 lines 22-50).

Regarding claims 62-70, those claims represents a method for processing user preferences related to multimedia content consumption, taught by the prior art as identified on claim 51-61, discussed above, same rationale of rejection is applicable.

Regarding claims 71-76, those claims represents a system for processing user preferences related to multimedia content consumption, taught by the prior art as identified on claims 51-56, discussed above, same rationale of rejection is applicable

Regarding claims 77-80, those claims represents system for processing user preferences related to multimedia content consumption, taught by the prior art as identified on claims 51-56, discussed above, same rationale of rejection is applicable

Regarding claims 81-85, those claims represents a computer program product for processing user preferences related to multimedia content consumption, taught by the prior art as identified on claims 51-61, discussed above, the same rationale of rejection is applicable.

Regarding claims 86-91, Herz-Kothuri teaches a second preference element includes a second preference condition that specifies a second place to which the second parent preference element applies (Kothuri, col. 13 lines 36-58).

***Response to Arguments***

5. Applicant's arguments with respect to claims 51-91 have been considered but are moot in view of the new ground(s) of rejection.

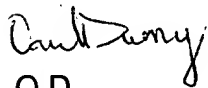
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



O.D

September 5, 2006